

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SELIM ZHERKA,

Plaintiff,

-against-

PHILIP AMICONE, individually, and PHILIP AMICONE in his capacity as Mayor of the City of Yonkers, New York,

Defendant.

PHILIP AMICONE,

Third-Party Plaintiff,

-against-

THE GUARDIAN NEWS, INC. and RICHARD BLASSBERG,

Third-Party Defendants.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)ss.
COUNTY OF WESTCHESTER)

MATTHEW S. CLIFFORD, being sworn says:

1. I am not a party to this action, am over 18 years of age and reside within White Plains, New York (office).

2. On May 19, 2008, I caused a true and correct copy of the Third Party Summons and Complaint in this action to be served by electronic mail upon Jonathan Lovett, Esq., as counsel for Third Party Defendants The Guardian News, Inc. ("Guardian News") and Richard Blassberg ("Blassberg").

3. On May 19, 2008, Mr. Lovett accepted service of the Third Party Summons and Complaint on behalf of The Guardian News and Blassberg. Annexed hereto as Exhibit A is a true and correct copy of an email from Mr. Lovett to the undersigned, acknowledging he would accept service on behalf of The Guardian News and Blassberg.



Matthew S. Clifford

Sworn to before me this
19th day of May, 2008.



Laura E. McMahon
NOTARY PUBLIC

LAURA E. McMAHON
Notary Public, State of New York
No. 01MC6017348
Qualified in Orange County
Commission Expires December 14, 2010

EXHIBIT "A"

Matthew S. Clifford

From: John Lovett [jlovett@lovett-gould.com]
Sent: Monday, May 19, 2008 1:55 PM
To: Matthew S. Clifford
Subject: RE: Guardian News

Matt: Of course! Sorry for the delay. JL

From: Matthew S. Clifford [mailto:MSC@ddw-law.com]
Sent: Monday, May 19, 2008 1:30 PM
To: jlovett@lovett-gould.com
Cc: Brian T. Belowich
Subject: Guardian News

John:

I am following up on Brian Belowich's voicemail from last week. Please advise if you will accept service of the third party complaints filed last week. Thank you.

Matt

Matthew S. Clifford

DelBello Donnellan Weingarten Wise & Wiederkehr, LLP
One North Lexington Avenue, 11th Floor
White Plains, New York 10601
Phone: (914) 681-0200
Fax: (914) 684-0288
E-mail: MSC@ddw-law.com

This electronic transmission by the law firm of DelBello Donnellan Weingarten Wise & Wiederkehr, LLP contains information that may be confidential or proprietary, or protected by the attorney client privilege or work product doctrine. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents hereof is strictly prohibited. If you have received this transmission in error, please notify DelBello Donnellan Weingarten Wise & Wiederkehr, LLP at (914) 681-0200. Thank you.

We are required by IRS Circular 230 to inform you that any statements contained herein are not intended or written to be used, and cannot be used, by you or any other taxpayer, for the purpose of avoiding any penalties that may be imposed by Federal Tax Law.